

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

David Deas

Title:

PASSIVE OPTICAL NETWORK AND ULTRAWIDE BAND ADAPTER

Application No.: 10/810,488

Filed:

March 26, 2004

Examiner:

Unknown

Group Art Unit: 3662

Atty. Docket No.: 1033-LB1028

COMMISSIONER FOR PATENTS PO Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, the undersigned brings the patents, publications, applications or other information identified in the attached:

Form(s) PTO/SB/08A and/or PTO/SB/08B or PTO/1449

Other: n/a

to the Examiner's attention in the above-identified application. Citation of such information shall not be construed as:

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- 2. a representation that a search has been made, other than as described below; or
- an admission that the information cited herein is, or is considered to be, material 3. to patentability as defined in § 1.56(b).

For each item of information listed that is not in the English language, the undersigned has provided a concise explanation of the relevance, such as through (i) an English language abstract, (ii) an English language equivalent application, (iii) reference to discussion in the application, or (iv) if cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action that indicates the degree of relevance found by the foreign office.

CERTIFICATE OF TRANSMISSION/MAILING				
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STATEMENT UNDER 37 C.F.R. § 1.704(d)

If the a	above-identified application is an original application filed on or after			
	each item of information contained in this Information Disclosure Statement vecited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.			
	FEES DUE			
This I	nformation Disclosure Statement is being filed:			
	within three months of the filing date of a national application or within three months of entry of the national stage as set forth in § 1.491 in an international application. Therefore, no fee is required.			
	before the mailing date of a first Office action on the merits or before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Therefore, no fee is believed required.			
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Should any PTO fees be necessary for entry of this Information Disclosure Statement, the undersigned hereby authorizes the Commissioner to charge Deposit Account <u>50-2469</u>.

9-13-2004

Date

Respectfully submitted,

Jeffrey G. Toler, Reg. No. 38,342

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Sheet 1

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/810,488	-		
Filing Date	March 26, 2004			
First Named Inventor	David Deas			
Art Unit	3662			
Examiner Name	Unknown			
Attorney Docket Number	1033-I R1028			

			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	^{US-} 6,549,587 B1	04-15-2003	Li	
	BB	^{US-} 6,721,797 B1	04-13-2004	Kim	
	СС	^{US-} 6,757,251 B1	06-29-2004	Nakaishi	
	DD	^{US-} 5,610,907	03-11-1997	Barrett	
•	EE	^{US-} 5,761,351	06-02-1998	Johnson	
	FF	US- 5,773,817	06-30-1998	Kingsley, et al.	
·	GG	^{US-} 6,160,802	12-12-2000	Barrett	
	НН	US- 6,492,904 B2	12-10-2002	Richards	
	Ш	^{US-} 6,505,032 B1	01-07-2003	McCorkle, et al.	
	JJ	^{US-} 6,535,331 B2	03-18-2003	Shiota, et al.	
	KK	^{US-} 6,643,417 B2	11-04-2003	Strutz, et al.	
	LL	^{US-} 6,735,238 B1	05-11-2004	McCorkle	
	MM	^{US-} 2004/0081402 A1	04-29-2004	Ouchi	
	NN	US- 2004/0143428 A1	07-22-2004	Rappaport, et al.	
_	00	US- 2003/ 0138061 A1	07-24-2003	Li	
	PP	US-			
	QQ	US-			
	RR	US-			
	SS	US-			

FOREIGN PATENT DOCUMENTS						
	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	
		Country Code ³ Number 4 Kind Code ⁵ (if known)				T ⁶
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

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